

THE CORPORATION OF THE CITY OF DRYDEN

BY-LAW NUMBER 2022-16

BEING A BY-LAW TO ESTABLISH RULES GOVERNING THE PROCEEDINGS OF COUNCIL,
THE CALLING OF MEETINGS AND THE CONDUCT OF MEMBERS, STAFF AND
THE PUBLIC.

SHORT TITLE – This by-law may be cited as the “Procedural By-law.”

WHEREAS a Municipality is a level of government and requires formality and procedures in meetings so that clear, informed, written decisions, direction, resolutions, and by-laws can be both adopted and implemented; and,

WHEREAS Council, pursuant to section 238 of the *Municipal Act, 2001*, is required to establish the procedures governing the meetings of Council and Committees, the conduct of its members and the calling of meetings; and,

WHEREAS Council must adopt by by-law, the procedures which address the rules of order which shall be observed in all proceedings of Council, Committees of Council and Local Boards, unless specifically provided otherwise.

NOW THEREFORE the Council of The Corporation of The City of Dryden enacts as follows:

Preamble

In addition to this By-law, members of Council are governed by the following documents and legislation, among others:

- *Municipal Act, 2001*
- *Municipal Conflict of Interest Act*
- *Municipal Elections Act*
- *Municipal Freedom of Information and Protection of Privacy Act*
- *Occupational Health and Safety Act*
- *Planning Act*
- *Accessibility for Ontarians with Disabilities Act*
- Council Code of Conduct Policy (MU-CO-11)
- Municipal Code of Conduct Policy (HR-CO-01)
- Workplace Anti-Violence, Harassment, Sexual Harassment Policy (HR- HS-18)
- Council-Staff Relations Policy (MU-CO-15)
- Social Media Policy (MU-IN-07)
- Accountability and Transparency Policy (MU-CO-07)
- Council Travel, Expense, Reimbursement, Per Diem Policy (MU-CO-02)

Members of Council shall be familiar with the above-noted legislation and documents and shall rely upon them when making decisions and exercising their powers.

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1. Definitions.

As used in this by-law, the following terms shall have the meanings indicated:

ACT – *The Municipal Act, 2001, S.O. 2001, c. 25*, as amended including regulations thereunder.

AGENDA – The list of business to be conducted at a meeting.

AMENDMENT- A change in the form of a Main Motion. An amendment is designed to alter or vary the terms of the main motion without materially changing its meaning. It may propose that certain words be left out, that certain words be omitted and replaced by others, or that certain words be inserted or added. Every amendment must be strictly relevant to the question being considered.

CAO – The Chief Administrative Officer of the City of Dryden.

CHAIR – The person presiding at a meeting.

CITY – The Corporation of The City of Dryden.

CLERK – The person (or designate) appointed by the municipality pursuant to Section 228 of the *Act*, or other relevant legislation.

CLOSED MEETING – A meeting of Council, Committee of the Whole or a Committee which is closed to the public pursuant to Section 239 of the *Act* or other legislation.

COMMITTEE – An Advisory, Statutory, Special Project/Task Force, Ad Hoc Committee established by Council to advise on specific matters which Council has deemed appropriate to be considered but does not include the Committee of the Whole.

COMMITTEE OF THE WHOLE – A Committee comprised of all members of Council.

CONSENT AGENDA – A list of items of a routine nature that do not require substantial discussion or debate at a Council meeting, all of which may be adopted by one motion of the Council or a Committee, but any of which may be transferred to the regular agenda for consideration upon the request of a member.

COUNCIL – The elected members of the municipal Council.

DELEGATION – A person(s) making a verbal presentation to Council, Committee of the Whole or Committee.

DEPUTY MAYOR – The Councillor appointed by Council By-law to act in the absence of the Mayor.

ELECTRONIC MEETING – A meeting where one or more member is not physically present but participates via electronic means of communication. Members participating electronically count towards quorum, can vote, and can participate in a closed meeting.

ELECTRONIC PARTICIPATION – Means telephone, video or audio conferencing or other interactive method whereby members, staff and the public can hear the member(s) participating by electronic means and the member(s) participating by electronic means are able to hear other members, staff, and the public.

EMERGENCY – An Emergency as defined in the City's Emergency Plan.

EX-OFFICIO – A member by virtue of office or position which carries with it the right to participate fully in all committee meetings and to vote unless prohibited by law but does not count towards a quorum.

HOLIDAY – Those dates listed as holidays in the *Legislation Act, 2006* except:

- (1) any other day proclaimed as a Civic Holiday by the Council of the Corporation; and,
- (2) any day as set out in a City by-law as such.

IMPROPER CONDUCT – Conduct which offers any obstruction to the deliberations of proper action of Council, Committee of the Whole or Committee.

INAUGURAL MEETING – The first meeting of Council held after a municipal election in a regular election year.

MAJORITY VOTE – The vote of more than half of the members present and voting at a properly constituted meeting at which a quorum, including the Mayor or Chair, is present. The count shall include those present and not excluded from voting by the provisions of the *Municipal Conflict of Interest Act*.

MAYOR – The Head of Council of the City as defined by the *Act*.

MEETING – Any regular, special, or other meetings of Council, Committee of the Whole, Local Board or Committee where a quorum of members is present, and members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee as stated in Section 228 of *Municipal Act*.

MEMBER – A member of Council, Committee of the Whole, Local Board or Committee and includes the Chair.

MOTION – A question to be considered by the Council or a Committee which is moved, seconded, presented, read by the Chair or Clerk, and is subject to debate. When a motion is adopted, it becomes a resolution.

MOTION TO DEFER – A motion to dispose of a matter or motion with or without any proposed amendment, by delaying consideration thereof:

- (1) indefinitely.
- (2) until or within some specified time or time.
- (3) until the happening of a specified event; or,
- (4) until the receipt of one or more reports.

MOTION TO RECEIVE – A motion to acknowledge the item, report, or recommendation under consideration and to have it placed in the records of the Clerk for future reference with no additional action being taken with respect to it at the present time.

MOTION TO REFER – A motion to dispose of a question under consideration, with or without any proposed amendment, to seek consideration by, and, if deemed desirable, one or more reports from, any designated committee, body or official.

MUNICIPAL ELECTION – A municipal election held pursuant to the *Municipal Elections Act*.

NOTICE – A written, printed, published, verbal, electronic or posted notification or announcement to the public generally, but does not include notice given to specified persons.

NOTICE OF MOTION – The completion and filing with the Clerk of the form attached as Schedule "A" and forming part of this by-law, of the intent of a member to introduce a matter by motion at the next or subsequent meeting of Council. The notice is a statement of intention and can be made by a member at the designated time on the agenda. When such notice is given, the motion requires no seconder, and it is not debatable until such time it is presented at the next Council meeting or subsequent meeting.

POINT OF ORDER – A question by a member with the view to calling attention to any departure from this by-law or in the conduct of the Council's business such as:

- (1) any breach of the Rules of Order of Council.
- (2) any defect in the constitution of any meeting of Council.

- (3) the use of improper, abusive, or offensive language.
- (4) notice of the fact that the matter under discussion is not within the scope of the proposed motion; or,
- (5) any other informality or irregularity in the proceedings of Council.

PRESENTATION – A person, group or organization that has been invited by Council, Committee of the Whole or the CAO to attend a meeting to present on a specific matter or issue, to present an award or provide recognition as identified under subsection 12.15.

PROCEDURAL BY-LAW – This by-law as amended from time to time.

PUBLIC MEETING – A meeting called by Council to receive the input of the public on any matter on which Council wishes to receive public comment; or a meeting called by Council pursuant to the provisions of the *Act* and any other Act.

QUORUM – The minimum number of members who must be present at meetings for business to be legally transacted. The quorum required commencing and continuing through a meeting of Council, Committee of the Whole or Committee shall be more than fifty percent (50%) of the members.

RECORDED VOTE – The recording of the name and vote of every member by the Clerk at the request of a member on a motion during a Council meeting immediately prior to or immediately after the vote.

REGULAR MEETING – A scheduled meeting held in accordance with the approved calendar/schedule of meetings and this by-law.

SPECIAL MEETING - A meeting not scheduled in accordance with the approved calendar/schedule of meetings. It is called for a specific time and for a specific purpose to deal with an important matter that has arisen between regular meetings.

TWO-THIRDS MAJORITY – A vote of two-thirds (2/3) of the members present and voting on an issue including the Mayor or Chair. The count shall include only those present and not excluded from voting by the provisions of the *Municipal Conflict of Interest Act*.

2. General Meeting Rules.

2.1 Business Conducted According to this By-law.

The rules and regulations contained in this by-law shall be observed in all meetings of Council and Committee of the Whole and with necessary modifications in every committee meeting.

2.2 Suspending Procedural By-law.

- A. Subject to subsection B, a motion to suspend, or not to follow a rule of procedure established under this by-law, shall not be passed without the consent of at least two-thirds of the members present and voting.
- B. Subsection not to be waived. Subsections 2-1 and 2-2 (A) may not be waived and shall be followed.

2.3 Amendment to this By-law.

- A. Majority Vote Required.
 - (1) This by-law shall not be amended or repealed except by a majority vote of all the members of Council.
- B. Notice to be given at a Previous Meeting.

- (1) No amendments or repeal of this by-law shall be considered at any meeting of the Council unless notice of the proposed amendment or repeal is given at a previous open regular meeting of the Council.

2.4 Parliamentary Procedures.

All points of Order of Procedure not provided for in this by-law shall be decided in accordance with Robert's Rules of Order, Newly Revised, 11th edition.

2.5 Council – Introduction of New Item on Agenda.

Extraordinary item(s) not provided for on the agenda shall be identified by a member of Council under Notices of Motion. A motion shall be required to introduce the new item to be presented for a specific matter, at the current meeting (and shall precede the item to be introduced) and such motion shall not proceed without the unanimous consent of Council. The member making such a request is to state the nature of the motion and the reason for introducing it.

2.6 Deputy Mayor – Appointment.

The position of Deputy Mayor shall be rotated among the six (6) members of Council whereby each member shall be appointed Deputy Mayor for a four (4) month period that is rotated over the term of Council. The appointments shall be approved by by-law at the Inaugural Meeting of the new Council listing the rotation every four (4) months commencing on the date of the passage of the by-law. In the absence of the Mayor and Deputy Mayor, the next member of Council listed on the Deputy Mayor Rotation By-law, and onwards from that member if he/she is not available, for the purposes of this by-law shall act in the place and stead of the mayor and shall have all rights, powers, and authority of the mayor, while so acting.

2.7 Deputy Mayor – Authority in Absence of Mayor.

In the absence of the Mayor, the Deputy Mayor for the purposes of this by-law, shall act in the place and stead of the mayor and shall have all rights, powers, and authority of the mayor, while so acting.

2.8 Members of Council – Absence – Notification.

Members of Council shall notify the Clerk or designate when they are aware that they will be absent from any meeting of Council or Committee of the Whole. Notwithstanding Subsection 259(1)(c) of the *Act*, an office is not vacated by a member of Council who is absent for twenty (20) consecutive weeks or less if the absence is as a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member in accordance with Subsection 259(1.1) of the *Act*. The member shall provide the Clerk with written notice of an absence of twenty (20) consecutive weeks or less as a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member. Council shall appoint another member or members to attend meetings of Committees that the member is appointed to in the member's absence. A member of Council on pregnancy and/or parental leave shall continue to be paid their respective honorarium.

2.9 Minutes of Meetings.

The Clerk or designate shall take minutes of all meetings of Council, Committee of the Whole, Special and Public meetings, open or closed. In the case of Committee meetings, the appropriate municipal staff shall take the minutes.

2.10 Councillors – Addressed.

At meetings of Council and Committee of the Whole, members of Council shall be

addressed as "Councillor (surname inserted)."

2.11 Mayor – Addressed.

At meetings of Council and Committee of the Whole, the Mayor shall be addressed as "Mayor (surname inserted)" or as "Your Worship."

2.12 Chair – Addressed.

At meetings of Committee of the Whole, the Chair shall be addressed as Chair or Madam Chair.

2.13 Location of Meetings.

All meetings of Council, Committee of the Whole, Special Meetings, or Public Meetings as required by legislation shall be held in Council Chambers of City Hall, 30 Van Horne Avenue, in the City of Dryden, or as otherwise designated by Council.

2.14 Use of Audio-Video Equipment.

The use of audio-video recording equipment during a meeting that is not closed to the public is only permitted if it is not disruptive to the conduct of the meeting and provided it has been authorized by the Clerk. Any and all audio-video recordings other than those created by the municipality shall not, under any circumstances, be deemed to be official records.

2.15 Clerk – Present at Meetings.

A Clerk or Deputy Clerk must be present at all Council Meetings, Committee of the Whole Meetings, Public Meetings, Special Meetings, or other meetings where there is a quorum of Council.

2.16 Conduct.

Members are required to follow the City's Council Code of Conduct during all meetings. No member shall:

- A. Speak disrespectfully of the Mayor, Chair, member, staff, or any member of the public.
- B. Engage in private conversation while in the Council Chambers in such manner as to interrupt the proceedings of Council.
- C. Speak on any subject other than the subject under debate unless raising a point of privilege or procedure.
- D. Speak in Open Council about matters discussed in a Closed meeting until authorized by Council.
- E. Interrupt a member who is speaking by speaking out, or making a noise or disturbance, except to raise a procedural question; and
- F. Disobey the procedural rules or the decisions of the Chair or of the Council or Committee.

At a meeting, no person shall:

- A. Speak disrespectfully of the Mayor, Chair, member, staff, or any member of the public.
- B. Use offensive language.
- C. Disobey the procedural rules or the decisions of the Chair or of the Council or Committee.
- D. Leave his or her seat while a vote is being taken and until the results of the vote are declared.
- E. Make any disruptive noise or disturbance.
- F. Enter the meeting while a vote is being taken.
- G. Walk between a member who is speaking and the Chair; and

- H. Display signs or placards, applaud, engage in conversation or any other behaviour, which may disrupt debate.

Electronic devices must be silenced during a meeting and must not be used to disrupt a meeting.

No one, except members or the Clerk, may approach members without permission from the Chair.

All remarks shall be addressed to the Chair.

Anyone who contravenes any of the rules in this by-law is guilty of misconduct and, after an initial warning, may be removed from the meeting by the Chair.

2.17 Electronic Meetings.

- A. Notwithstanding any other provision of this by-law, a regular, public, or special Council, Committee of the Whole or committee meeting may be conducted electronically where permitted by legislation.
- B. An electronic meeting may include a closed meeting, which shall be conducted in the absence of the public and in accordance with this by-law.
- C. Public attendance and participation at electronic meetings may be restricted to electronic means.

3. Roles and Responsibilities.

3.1 Head of Council (Mayor).

It is the duty of the Head of Council (Mayor) to:

- A. Act as Chief Executive Officer (CEO) of the municipality.
- B. Preside over Council meetings so that Council's business can be carried out efficiently and effectively.
- C. Provide leadership to Council.
- D. Sit as an ex-officio member of any Committee and to vote at meetings.
- E. Represent the municipality at official functions.
- F. Uphold and promote the purposes of the municipality.
- G. Promote public involvement in the municipality's activities.
- H. Act as a representative of the municipality both within and outside the municipality and promote the municipality locally, nationally, and internationally.
- I. Participate in and foster activities that enhance the economic, social, and environmental well-being of the municipality and its residents; and
- J. Carry out duties prescribed in the *Municipal Act*.

3.2 Chair.

It is the duty of the Chair to:

- A. Open meetings by calling them order.
- B. Address the business listed on the agenda.
- C. Receive and have read to Council all motions which have been moved and seconded, or those that arise during the proceedings by the members.
- D. Put to a vote all motions which have been moved and seconded and announce the result of all votes.
- E. Vote on all motions before the Council by clearly raising his/her hand, unless prohibited from voting by law.
- F. Decline to put motions to a vote which breach the Procedural By-law or are beyond Council's power of authority.
- G. Enforce, on all occasions, order, polite conduct, and decorum among all present at meetings.
- H. Inform the members of the proper procedure to be followed and to enforce the rules of procedure.
- I. When, in the Chair's opinion, the words or conduct of any person, including a

- member, is in contravention of the Procedural By-law or is causing unreasonable disruption to the meeting, rule the person out of order and require the person to cease the activity or vacate the meeting.
- J. Rule on any points of order raised by members.
- K. Maintain order, and, where it is not possible to maintain order, adjourn meetings to a time to be named by the Mayor without any motion being put forward; and
- L. Call for the adjournment of the meeting when business is concluded.

3.3 Deputy Mayor.

In the event the mayor is absent from the municipality, the Deputy Mayor shall act in his or her absence and shall have all the rights, powers, and authority as the mayor.

If the Deputy Mayor is unable to act in the place and stead of the mayor and quorum is present at a meeting, the Clerk shall call the meeting to order, and another Councillor shall be appointed by Council to act as the presiding official and shall preside over the meeting.

3.4 Council.

It is the duty of Council to:

- A. Represent the public and consider the well-being and interests of the municipality.
- B. Determine which services the municipality provides.
- C. Ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council.
- D. Ensure the accountability and transparency of the operations of the municipality.
- E. Maintain the financial integrity of the municipality; and
- F. Carry out the duties of Council prescribed by the *Municipal Act*.

3.5 Councillors.

It is the duty of Councillors to:

- A. Prepare for meetings prior to the meeting.
- B. Vote on all motions before the Council by clearly raising his/her hand, unless prohibited from voting.
- C. Observe proper procedure and decorum at all meetings.
- D. State questions to be asked through the Mayor or the Chair.
- E. Support the decisions of Council.
- F. Attend meetings of Boards and Committees to which he/she has been appointed by Council; and
- G. Act in accordance with the Oath of Allegiance and Oath of Elected Office.

3.6 Clerk.

It is the duty of the Clerk to:

- A. Record, without note or comment, all resolutions, decisions, and other proceedings of Council.
- B. If required by any member present at a vote, record the name and vote of every member voting on any matter or question.
- C. Keep the originals or copies of all by-laws and of all minutes of the proceedings of Council.
- D. Perform other duties required under the *Municipal Act* or any other *Act*; and
- E. Prepare and circulate agenda packages to all members.

The Clerk, where appropriate, may delegate, in writing, the duties of the Clerk to another person in accordance with Section 228(4) of the *Municipal Act*.

3.7 Staff.

It is the duty of staff to:

- A. Implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions.
- B. Undertake research and provide advice to Council on the policies and programs of the municipality; and
- C. Carry out other duties required under the *Act* and other duties assigned by the municipality.

3.8 Treasurer/Administrator (as Chief Administrative Officer).

It is the duty of the Treasurer/Administrator to:

- A. Exercise the general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
- B. Perform such other duties as are assigned by the municipality.

3.8.1 Members of the Public.

It is the role of members of the public to:

- A. Follow the rules of order, polite conduct and decorum when attending meetings which are open to the public; and
- B. Provide input and information to Council only during portions of meetings specifically designed for public engagement and in the manner dictated by Council (e.g., in person, electronically, via Delegation)

4. Meetings.

4.1 Inaugural Meeting.

- A. The Inaugural Meeting of Council shall be held at 6:00 p.m. on the first Monday in December following a regular municipal election unless it is determined that it be held at a different date and time, prior to the meeting date by resolution of Council.
- B. No business shall be conducted at the Inaugural Meeting of Council until the Declarations of Office and Oaths of Allegiance have been made by Council members.
- C. The location of the Inaugural Meeting shall be determined by the Clerk.

4.2 Dates, Times, and Curfew of Meetings.

- A. Council shall hold its regular meetings of Council on the 4th Monday of every month at 7:00 p.m. and shall stand adjourned at or before 10:00 p.m.
- B. Closed meetings of Council, as required, shall commence at 6:00 p.m. on 4th Monday of every month and shall stand adjourned at 6:45 p.m. Unfinished business shall be brought forward, if required, during a second closed portion of the regular meeting of Council following the open meeting.
- C. Meetings of Committee of the Whole shall be held on the 2nd Monday of every month at 7:00 p.m. and shall stand adjourned at or before 10:00 p.m.
- D. Closed meetings of Committee of the Whole, as required, shall commence at 6:00 p.m. on 2nd Monday of every month and shall stand adjourned at 6:45 p.m. Unfinished business shall be brought forward, if required, during a second closed portion of the regular meeting of Committee of the Whole following the open meeting.
- E. Meetings held to consider applications under the *Planning Act* or to obtain public input may be held at 5:00 p.m. prior to the regular meeting of Committee of the Whole or Council. A *Planning Act* meeting may be called at an earlier time or at a different date and time provided adequate notice is given to the public of the impending change as directed by the Clerk or designate.

- F. Where Council directs a meeting to receive public comments on any matter, or where Council directs a meeting be held pursuant to the provisions of *the Act* or any other Act, that meeting shall have a time limit of two (2) hours unless extended, with the approval of a majority of all members of Council present prior to the time limit. In any event, the meeting shall adjourn within four (4) hours.
- G. Council or Committee of the Whole meeting adjournment times may be extended by one (1) hour by resolution with the approval of a majority of the members present at a meeting prior to the 10:00 p.m. time limit. In no case, will the adjournment time be extended by more than one (1) hour.
- H. Where there is unfinished business at a meeting that adjourned, the unfinished business shall be brought forward and transacted at the date of the next meeting or at the meeting that has been re-scheduled.
- I. Cancellation/Postponement of Meetings:
 - (1) Council may cancel or postpone a regular meeting of Council or Committee of the Whole provided that twenty-four (24) hours' notice of the impending change is given to the public as directed by the Clerk or designate.
 - (2) A meeting may be cancelled due to lack of quorum as referenced in subsection 7.1 B of this by-law.
- J. If a Municipal Election falls on the Monday of a regular meeting of Council or Committee of the Whole, the meeting shall be cancelled.
- K. If a regular meeting of Council or Committee of the Whole falls on a holiday, the meeting shall take place at the same time on the day following the holiday, unless otherwise provided by resolution of Council.
- L. Special Meeting of Council or Committee of the Whole:
 - (1) A Special Meeting is one that is called for a specific time and for a specific purpose to deal with an important matter that must be dealt with before the next regular meeting.
 - (2) The Mayor may, at any time, summon a Special Meeting of Council or Committee of the Whole for the purpose as approved by the Mayor or Chair, Clerk and CAO.
 - (3) The Clerk shall summon a Special Meeting upon submission to him/her of a written petition of the majority of Council members. The written petition shall advise the Clerk of the reason for the Special Meeting and may include the date or time for the meeting.
 - (4) The Special Meeting shall be held not sooner than forty-eight (48) hours following the mayor's summons or receipt of the petition and notice shall be given to Council, staff, affected parties, the public and media stating the specific business to be considered at the Special Meeting. The only business to be dealt with at a Special Meeting is that which is listed on the Notice of the meeting.
 - (5) Unless otherwise specified in the notice, a Special Meeting shall be held in Council Chambers.

4.3 Public Notice of Meetings.

- A. The published agenda shall be considered adequate public notice and deemed to have been given by being posted on the City of Dryden website and available for public review in the office of the City Clerk before the close of business on either the Friday or applicable business day preceding the regularly scheduled meeting.
- B. All notices of meetings of Council and Committee of the Whole shall indicate the

date, time, and place of commencement of the meeting as well as the information on where the public can watch the livestreamed meeting.

- C. The Clerk or designate shall provide each member of Council an agenda with supporting reports by the close of business on the Thursday immediately prior to every regularly scheduled meeting of Council and Committee of the Whole.
- D. Agendas for all open meetings, along with all supporting reports shall be posted to the City website before the close of business on the Friday immediately prior to every regularly scheduled meeting of Council and Committee of the Whole.
- E. Special Meeting:
 - (1) The Clerk shall provide each member of Council an agenda for any Special Meeting called in accordance with this by-law a minimum of 48 hours in advance of such meetings. The agenda shall be posted to the City website.
 - (2) Public notice of any Special Meeting shall be given to Council, affected parties, the public and media stating the specific business to be considered at the Special Meeting. The only business to be dealt with at a Special Meeting is that which is listed on the Notice of the meeting.
- F. Special Closed Meeting:

Should it be required to hold a closed meeting of Council or Committee of the Whole that is not on a regularly scheduled meeting date, a minimum of forty-eight (48) hours public notice shall be given to Council, affected parties, the public and media stating the general nature of the business to be considered.
- G. Emergency – Notice Not Required:

In the case of an emergency, as defined in the City of Dryden Emergency Plan, an emergency meeting may be held without notice, to deal with the emergency or extraordinary situations, provided proof that an attempt has been made by the Clerk or designate to notify the members about the meeting as soon as possible and in the most expedient manner possible. Notice of the holding of the meeting shall be given as soon as possible thereafter to ensure the public is apprised of the holding of such a meeting. Quorum is still required at an emergency meeting.
- H. Public Meetings:

Notice of Public Meetings held to consider applications under the *Planning Act* or to obtain public input shall be given in accordance with required legislation and in accordance with the Chapter 133, Notices, of the City's Municipal Code.
- I. Other Meetings:

Notice shall be given for any meeting, open or closed, and such notice shall be determined by the Clerk in accordance with this by-law.
- J. Lack of Receipt of Notice or Agenda:

Lack of receipt of notice or an agenda by the members of Council shall not affect the validity of the meeting or any action lawfully taken at it.
- K. Adoption of Procedural By-law:

Before passing a Procedural By-law, or amendment to same, notice will be provided at the preceding meeting.
- L. Minimum Requirements:

The notice requirements set out in this by-law are minimum requirements

only and the Clerk may give notice in an extended manner if in his/her opinion the extended manner is reasonable and necessary in the circumstances.

4.4 Closed Meetings "Closed Sessions".

- A. All meetings of Council, Committee of the Whole and Committees shall be open to the public, unless otherwise authorized by *the Act* or other Act. A closed meeting is a meeting, or a portion of a meeting, that is not open to the public.

- B. Criteria and Procedure – Closed Meetings:

Meetings shall be closed to the public in accordance with Section 239 of *the Act* or other Act.

- C. Closed Items to be included on Agenda:

The general nature of the closed meeting items shall be listed on the open meeting agenda of the regular or special meeting of Council, Committee of the Whole or Committee.

- D. Motions Permitted in Closed Meetings:

- (1) No votes may be taken at a meeting which is closed to the public, with the exception that written motions may be voted on as follows:
- (a) for giving instructions to officers, employees or agents of the Corporation or persons retained by or under contract with the City; and
 - (b) for procedural matters such as confirming minutes and adjourning the meeting.

- E. Moving Out of Closed to the Open Meeting:

Members shall adjourn from the closed meeting and reconvene to the open meeting and a report from the closed meeting will be made at the appropriate time during the open meeting.

- F. Closed Meeting Minutes:

- (1) Closed meeting minutes shall be recorded by the Clerk or as delegated and shall record the following, without note or comment:
- (a) the starting time of the closed meeting and fact of the holding.
 - (b) those in attendance and those absent.
 - (c) Declarations of Pecuniary Interest and the general nature thereof.
 - (d) the general nature of the matters considered.
 - (e) motions to adopt closed minutes of previous meetings and providing direction; and,
 - (f) the adjournment time of the closed meeting.

- G. No Disclosure:

No member, officer or employee shall disclose the subject matter or deliberation of a closed meeting, unless expressly authorized to do so by Council or the Committee.

5. Council Agendas.

5.1 Council Agendas – Composition – Prepared by Clerk.

- A. The Clerk or designate shall prepare the Council Agenda for regular Council Meetings, subject to necessary modifications for Special and Emergency meetings

consisting of the following:

- (1) Call to Order
- (2) Declarations of Pecuniary Interest and the General Nature Thereof:
 - (a) For the agenda for this meeting; and,
 - (b) For minutes of a meeting at which a member was not in attendance.
- (3) Adjournment to Closed Session (if required)
- (4) Reconvene from Closed Session (if required)
- (5) Resumption of Open Council (if required)
- (6) Land Acknowledgement Statement
- (7) Report on matters arising from Closed Session (if required)
- (8) Delegations
- (9) Presentations
- (10) Public Notices – Clerk
Consent Agenda - Part 1 (Items 11 to 14)
- (11) Adopt/Receive Minutes
- (12) Motions Arising from previous Council and Committee of the Whole Meeting.
- (13) Award of Tenders/Request for Proposals
- (14) Information Items
Consent Agenda - Part 2 (Item 15)
- (15) By-laws – First, Second and Third Reading
- (16) Items Severed from Consent Agenda
- (17) Staff Reports
- (18) Notices of Motion
- (19) Motions
- (20) Reports of Municipal Officers
 - (a) CAO.
 - (b) City Clerk.
 - (c) Treasurer.
 - (d) Public Works Manager; and
 - (e) Manager of Community Services
- (21) Announcements:
 - (a) Mayor
 - (b) Councillors
- (22) Adjournment to Closed Session (if required)
- (23) Reconvene from Closed Session (if required)
- (24) Report from Closed Session (if required)
- (25) Confirmatory By-law
- (26) Adjournment

5.2 Deadline for Material to be Included on the Agenda.

The deadline for receipt of material by the Clerk from the CAO to be included on the Agenda for Regular Meetings shall be 12:00 p.m. on the Wednesday, prior to the regular meeting.

5.3 Order of Business – as Specified – Exception.

The business of each meeting shall be taken up in the order in which it stands on the agenda unless otherwise decided by a majority vote of the members present and the motion shall not be amendable or debatable.

5.4 Consent Agenda – Declaration of Pecuniary Interest.

Should any member disclose any direct or indirect Pecuniary Interest with an agenda item listed on the Consent Agenda, that item shall be transferred to the regular agenda for separate consideration.

6. Minutes.

6.1 Minutes – Council and Committee of the Whole.

- A. The minutes of Council and Committee of the Whole meetings shall be taken by the Clerk or designate and shall consist of a record of all proceedings of the meetings pursuant to *the Act*. The Clerk or designate shall record, without note or comment, the following information for the purpose of the official minutes:

- (1) date, place, and time of meeting.
- (2) name of the Chair.
- (3) members present and absent.
- (4) Declarations of Pecuniary Interest and the general nature thereof.
- (5) any public delegation or presentation and the name of the person/group.
- (6) motions.
- (7) by-laws; and
- (8) time of adjournment.

7. Quorum.

7.1 Commencement of Council Meetings – Quorum.

- A. Quorum – Call to Order:

As soon after the hour fixed for a meeting as quorum is present, the meeting shall be called to order by the Chair.

- B. Quorum – Time Fixed – Adjourned Meeting:

Quorum must be present at all meetings. If there is not a quorum within fifteen (15) minutes after the time fixed for the meeting, the Clerk shall call the roll, the names of the members present shall be recorded in the Minutes of the Adjourned Meeting. The items included on the agenda of the Adjourned Meeting shall be included on the agenda for the next regular meeting of Council or of a Special Meeting of Council if called for that purpose, and in the case of Committee of the Whole or Committees, at the next regularly scheduled meeting.

- C. Quorum – Lost – Adjourn to Reconvene:

If during a meeting, the quorum is lost, the meeting shall stand adjourned.

8. Absence of Mayor, Deputy Mayor, Chair at Meetings.

8.1 Mayor – Absence – Deputy Mayor to Preside.

In the event the Mayor does not attend a Council meeting or within fifteen (15) minutes after the time fixed, the Deputy Mayor shall call the members to order and if a quorum is present, shall preside as Chair during the meeting or until the arrival of the Mayor.

8.2 Mayor/Deputy Mayor Absence - Member Appointed - To Preside.

In the absence of the Mayor and the Deputy Mayor and, if a quorum is present, the Clerk shall call the members to order. In the absence of the Deputy Mayor, the previously appointed Deputy Mayor may preside, or a Chair shall be chosen by the members present from amongst themselves and shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor.

9.0 Rules of Debate and Conduct.

9.1 Mayor – Speaking on Motion – To leave Chair.

The Mayor may answer questions and comment in a general way without relinquishing the Chair, but if he/she wishes to speak to a motion taking a position and endeavouring to persuade the Council to support it, he/she shall first relinquish the Chair to the Deputy Mayor. In the absence of the Deputy Mayor, the Mayor shall designate another member to

fill his/her place until he/she resumes the Chair.

9.2 Speaking – Recognition of Chair – Required.

If a member would like to speak to any matter, he/she shall raise his/her hand and be recognized by the Mayor or Chair.

9.3 Speaking – Order – Determination.

When two (2) or more members indicate simultaneously that they wish to speak, the Mayor or Chair shall name the member who is to speak first.

9.4 Speaking – Limitation – Subject – Maximum Five (5) Minutes.

When a member is speaking to a motion, he/she shall confine his/her remarks to the motion and shall be limited to a maximum of five (5) minutes.

9.5 Motion – Under Debate – Read – At Any Time.

A member may request the motion under debate be read at any time during the debate but shall not interrupt a member who is speaking.

9.6 Disruption – Council – by Member – Prohibited.

No member shall disturb the Council by disorderly conduct or comments.

9.7 Offensive Language – Insults – Prohibited.

No member shall use profane or offensive words or insulting expressions.

9.8 Disobedience – Rules – Points of Order – Prohibited.

No member shall disobey the rules of the Council or a decision of the Mayor or Chair on points of order or on the interpretation of the rules of procedure.

9.9 Leaving Seat – Disturbance During Vote – Prohibited.

No member shall leave his/her seat or make noise or cause a disturbance while a vote is being taken or until the result is declared.

9.10 Speaking – Without Addressing – Prohibited.

No member shall speak until he/she has addressed himself/herself to the Mayor or Chair.

9.11 Interruption – Speakers – Exception.

No member shall interrupt a member who is speaking, except to raise a point of order or a question of privilege.

9.12 Leaving Meeting – Not to Return – Mayor Informed.

No member shall leave the meeting when he/she does not intend to return to it without first advising the Mayor or Chair.

9.13 Disorderly Conduct – Member to be Removed – Question.

If a member persists in a breach of the rules prescribed in this by-law, after having been called to order by the Mayor or Chair, the Mayor or Chair shall put the question "Shall the member be ordered to leave his/her seat for the duration of the meeting?" and such question is not debatable.

9.14 Disorderly Conduct – Member to Leave Seat.

If the Council, by a majority vote decides the question set out in subsection 9.13 of this by-law in the affirmative, the Mayor or Chair shall order the member to leave his/her seat for the duration of the meeting.

9.15 Apology – Member to Resume Seat – by Permission.

If the member apologizes prior to leaving his/her seat, the Mayor or Chair, with the unanimous consent of the Council, may permit him/her to remain in his/her seat.

9.16 Council – Contact Staff – Prior to Meeting.

Members of Council are encouraged to contact the appropriate member of staff prior to a meeting to raise questions or clarify issues relevant to matters on the Committee of the Whole or Council agenda.

10. Motions.

10.1 Notice of Motion – Filed with Clerk.

- A. A member may complete and file with the Clerk, a form as attached to, and forming part of, this by-law as Schedule "A" of his/her intent to introduce an item by motion at the next or subsequent meeting of Council. Such Notice of Motion shall be filed no later than 12:00 p.m. on the Wednesday prior to the regular Council or Committee of the Whole meeting, as deemed appropriate. A copy of the Notice of Motion will be forwarded to the Mayor and CAO upon receipt.
- B. The notice is a statement of intention and can be made by a member at the appropriate time on the agenda.
- C. When such notice is given, it requires no seconder, and is not debatable until it is presented at the next Council meeting or subsequent meeting.
- D. Any motion may be introduced without notice, if the Council, without debate, and with unanimous consent, dispenses with notice. A motion to introduce the new item without notice shall precede the main motion to be introduced. Any motion introduced, without notice, shall not contravene the provisions of Chapter 133, Notices, of the City Municipal Code.

10.2 Motion – Moved and Seconded Before Debate.

Motions of Council shall be moved, seconded, and be received by the Chair before being debated or put to a vote.

10.3 Withdrawal – Before Put – Requirement.

Every motion shall be deemed to be in the possession of Council for debate after it is accepted by the Mayor or Chair but may be withdrawn with the consent of Council.

10.4 Motion – Reply.

A reply shall be allowed to a member who has made a substantive motion, to any member who has moved an amendment, the previous question and/or instruction to a Committee.

10.5 Calling the Question.

After the vote is called by the Mayor or Chair, no member shall speak, nor shall any other motion be made until after the vote is taken and the result has been declared by the Mayor or Chair.

10.6 Decision – Voting.

The manner of determining the decision of the Council or Committee of the Whole on a motion shall be by a show of hands, and any motion shall require votes from a majority of the members present to be valid and binding on Council or Committee of the Whole. In the event of an Electronic Meeting or when members are participating electronically, voting will be done verbally.

10.7 Motion under Debate – Other Motions Permitted.

When a motion is under debate, no other motion shall be in order except a motion:

- (1) to adjourn.
- (2) to proceed beyond the hour of 10:00 p.m.
- (3) to lay on the table (to set a motion aside temporarily to take up a more pressing matter).
- (4) to put the question (to close the debate).
- (5) to postpone (defer).
- (6) to refer; or
- (7) to amend.

10.8 Motion to Adjourn – Qualifications.

A motion to adjourn shall:

- (1) not be amended.
- (2) not be debated; and
- (3) always be in order, except when a member is speaking, or the members are voting.

10.9 Motion to Proceed past 10:00 p.m. – Qualifications.

A motion to proceed beyond the hour of 10:00 p.m. shall:

- (1) not be amended.
- (2) not be debated.
- (3) always be in order, except when a member is speaking, or the members are voting; and
- (4) shall require a majority vote of those members present and should this not occur, the meeting shall automatically be adjourned.

In no case, will the adjournment time be extended by more than one (1) hour.

10.10 Motion to Defer to Later in the same Meeting (postpone).

This motion provides a mechanism for a motion to be set aside and taken up again at any time later in the meeting by moving a procedural motion to resume consideration of the matter and shall:

- (1) not be amended.
- (2) not be debated; and
- (3) require approval of two-thirds majority of votes cast.

10.11 Motion to Defer to Subsequent Meeting (postpone).

This motion enables the discussion of a substantive issue to be put off to a subsequent meeting and shall:

- (1) state the substantive issue and the date and/or time of the postponement.
- (2) be debatable only with respect to the date and time.
- (3) have a seconder.

- (4) have amendments restricted to the stated date/and or time; and
- (5) be approved by majority vote.

10.12 Motion to Amend.

A motion to amend, add to, delete from, or substitute words in the main motion, shall:

- (1) be presented in writing and seconded.
- (2) be open to debate.
- (3) not propose a direct negative to the main motion.
- (4) be relevant to the main motion.
- (5) have only one motion to amend the main motion at one time.
- (6) have only one motion to amend a motion to amend the main motion at one time:
and
- (7) be put in the reverse order to that in which it is moved.

10.13 Motion to Refer.

A motion to refer is used to allow closer study of the subject. It is used to require staff or a committee to examine the matter under consideration in greater detail. A motion to refer a matter should include the name of the official or committee, etc. to whom the matter is to be referred and instructions respecting the terms upon which the matter is to be referred; and shall:

- (1) be debatable (debate is restricted to the pros and cons of making the referral).
- (2) be amendable; and
- (3) be relevant to the main motion.

10.14 Motion – Not Within Jurisdiction – Not in Order.

A motion relating to a matter not within the jurisdiction or beyond Council's power of authority is not in order and shall not be entertained by the Chair.

10.15 Disposition of Motion.

Every motion in Council must be voted on and either carried, defeated, withdrawn, or deferred before any other motion (other than a motion to amend), can be introduced, deferred, amended, etc.

11. Voting.

11.1 Mandatory Vote – All Members.

All members present shall vote by a show of hands (or verbally in the event of an Electronic Meeting or when participating electronically) when a question is posed, except when they have been disqualified from voting due to a declared conflict of pecuniary interest on an item.

11.2 Voting – Order.

Voting on the main motion and amending motions shall be conducted in the following order:

- (1) a motion to amend a motion to amend the main motion.
- (2) a motion, as amended, to amend the main motion; and
- (3) the main motion, as amended.

11.3 Motion to Vote – Immediately – After All Have Spoken.

A motion shall be put to a vote by the Mayor or Chair immediately after all members wanting to speak on the motion have spoken in accordance with the provisions of this by-law.

11.4 Speaking – After Motion Put – Before Vote Announced.

After the Mayor or Chair calls the vote, no member shall speak on that motion nor shall any other motion be made until after the result of the vote is announced by the Mayor or Chair.

11.5 No Vote – Deemed Negative.

A member who is not disqualified from voting due to a Declaration of Pecuniary Interest shall be deemed to be voting against the motion if he/she declines or abstains from voting.

11.6 Secret Voting – On Motion – Prohibited.

The manner of determining the decision of the Council on a motion shall not be by secret ballot nor by any other method of secret voting and every vote so taken is of no effect.

11.7 Result – Announced by Chair.

The Chair shall announce the result of every vote, except in the case of a recorded vote when the Clerk shall announce the result.

11.8 Tie Vote – Deemed Defeated.

When a vote is taken and a tie results, the motion is deemed to be defeated.

11.9 Opposition – Support – Not Recorded in Minutes – Exception.

The Clerk shall not note dissenting votes in the Minutes unless a request has been made by a member of Council for a recorded vote.

11.10 Recorded Vote.

A. When Called For:

A recorded vote shall be taken when called for by any member immediately before or immediately after a vote or when required by law. The Clerk shall call upon each member of Council entitled to vote on the motion, in alphabetical order by surname, to verbally answer "Yea" or "Nay." The Clerk shall request the Mayor to announce his/her vote last.

B. Names Entered in Minutes:

When a recorded vote is taken, the names of the members of Council who voted in support of and those who voted in opposition to the motion shall be entered in the minutes.

C. All Members to Vote – Exception:

All members present shall vote when a recorded vote is called for, except when they have been disqualified from voting due to a declared conflict of pecuniary interest.

D. Members – Do Not Advise of their Vote - Negative:

If any member does not advise of their vote, they shall be deemed as voting in the negative.

E. Results:

The Clerk shall announce the results of the vote.

11.11 Reconsideration.

A. Introduction – by Majority Voter:

A motion to reconsider a decided matter shall only be moved by a member who voted with the majority on the original motion.

B. Reconsideration – Majority:

A motion to reconsider a decided matter at the same meeting or at a subsequent meeting shall require the approval of the majority of those members present.

C. Reconsideration – Qualifications:

(1) A motion to reconsider:

- (a) is not debatable;
- (b) is not amendable;
- (c) cannot be considered if the action approved in the motion cannot be reversed; and
- (d) suspends action on the motion to which it applies until it has been decided.

D. Members – Responsible – Determination – How Voted:

Each member of Council shall be responsible for determining how he/she originally voted on a specific matter. The Clerk shall not record or note in the minutes how a member votes unless a request for a recorded vote has been made.

E. Reconsideration – Once – Twelve Months:

No motion shall be reconsidered more than once during a period of twelve (12) months following the date on which the question was decided.

F. Affirmative Vote – Original Matter – Next Business:

If a motion to reconsider is decided in the affirmative, then consideration of the original matter shall become the next order of business.

G. Succeeding Council – Not Reconsideration:

When a question is brought before a succeeding Council, it shall be deemed to be new business and not a matter of reconsideration.

12. Delegations and Presentations – In Council, Committee of the Whole.

12.1 Public May Address Council/Committee of the Whole.

Any person wanting to present information or speak to Council at a Council or Committee of the Whole meeting shall make application on the prescribed form as attached as Schedule "B" to this by-law. The submission of a written request to appear as a delegation does not guarantee the request will be approved. The CAO and Clerk reserve the right to schedule or deny delegation requests. Depending on the situation, those requesting delegations shall be encouraged by the Clerk and/or CAO to first resolve the issue with staff. Matters which are operational or administrative shall be referred to the appropriate Senior Manager for resolution. A delegation that has previously appeared before Council or Committee of the Whole on the same subject that requests a subsequent delegation will be denied unless it will present new or substantive information than that which was previously presented.

12.2 Delegation Form Necessary - Deadline.

A signed "Request for Delegation Form" as identified in Schedule "B" shall be completed and submitted to the Clerk **by 12:00 p.m. on the Monday prior to the Council or Committee of the Whole meeting** with a legibly written presentation, if appropriate, provided to the Clerk prior to the delegation as set out on the "Request for Delegation Form."

12.3 Delegation – Public Hearing – Exception.

Delegations will only be permitted from the gallery without prior registration during the public hearing portion of a meeting under the provisions of the *Planning Act* or other legislation or regulation requiring a public hearing.

12.4 Business – Stated – Related To.

Persons addressing Council/Committee of the Whole shall confine their remarks to the stated business.

12.5 Delegation – Time Limit.

Delegations shall limit their presentations to a maximum of ten (10) minutes, and successive extensions of five (5) minutes may be granted by Council or Committee of the Whole. Persons requesting to appear before Council or Committee of the Whole shall be advised of the time limitation in advance.

12.6 Curtailment of Time.

The Mayor or Chair may curtail any delegation, any questions of a delegation or debate during the presentation, for disorder or other breach of this by-law and if the Mayor or Chair rules that the delegation is concluded, the person or persons appearing shall withdraw.

12.7 Limit – Delegation – Council or Committee of the Whole Meetings.

No more than one (1) delegation shall be scheduled for any Council or Committee of the Whole meeting.

12.8 Location.

No person in attendance at a meeting, except Council Members and authorized staff, shall be allowed to come within the Council Members' seating location during a meeting without the permission of the Mayor or Chair. The public is expected to speak from the podium provided in Council Chambers when addressing Council or Committee of the Whole.

12.9 Behavior of Delegation.

No delegation shall:

- (1) speak without first being recognized by the Mayor or Chair;
- (2) speak disrespectfully of any person;
- (3) use offensive words or gestures, or make abusive comments;
- (4) speak on any subject other than the one stated on their Delegation Request Form; nor
- (5) disobey the Rules of Procedure or a decision of the Council or Committee of the Whole.

12.10 Conduct by the Public.

No person in attendance at a meeting shall:

- (1) address Council or Committee without permission from the Mayor or Chair;
- (2) bring signage, placards or banners into such meetings or on the premises of City Hall;
- (3) engage in any activity or behaviour that would affect the deliberations; nor
- (4) bring food into the Council Chambers or meeting unless so authorized.

12.11 Expulsion.

The Mayor or Chair may expel and exclude any member of the public who creates any disturbance or acts improperly during a meeting of Council or Committee of the Whole. If necessary, the Clerk may be called upon to seek the appropriate assistance from police officers for this purpose.

12.12 Recording of Delegations in Minutes.

The Clerk shall record, without note or comment, a summary of a public delegation, including the name of the person/group represented.

12.13 Managers, Supervisors, Employees – Address to Council/Committee of the Whole.

City staff in attendance at a meeting shall provide advice and respond to questions from members, as required, regarding delegations and presentations.

12.14 Repetition – Prevented – Hearing Declined – Exception.

To avoid repetition and to ensure an opportunity for the expression of different points of view but except as required by law, the Mayor or Chair may decline to hear any person who has an identifiable common interest or concern with any other person who has already appeared and spoken at the meeting.

12.15 Presentations – Request of Council, Committee or CAO.

- A. From time to time, it may be necessary for the Council, Committee of the Whole or CAO to invite a person, group or organization to attend a meeting to discuss a specific matter or issue. Unless otherwise required by law and *the Act*, these presentations shall be open to the public. It is expected that presentations will not be more than 30 minutes in duration, and should such presentations be of a significant length, a special meeting of Council or Committee of the Whole shall be called to address the presentation specifically. Such requests shall be identified on the agenda under Presentations. No more than one (1) Presentation shall be scheduled on any agenda.
- B. On occasion, presentations at Council or Committee of the Whole may be undertaken to present awards or to recognize individuals. These are to be identified on the agenda under Presentations.
- C. Correspondence or reports relating to the presentation shall be submitted to the Clerk for inclusion on the Agenda **by 12:00 p.m. on the Monday prior to the Council or Committee of the Whole meeting.**

13. Proceedings – Committee of the Whole.

13.1 General.

The Committee of the Whole may meet from time to time in addition to the times specified in this by-law to consider any matter or thing referred to or brought before it for consideration.

13.2 Special Meetings – Notice.

Special meetings of Committee of the Whole may be called by the Mayor or CAO whenever he/she considers it necessary or by petition of Council, provided 48 hours advance public notice is given, in accordance with the Notice provisions contained in subsection 4.3 E. (1)

13.3 Meetings – Closed.

A Committee of the Whole meeting may adjourn to a closed session of Committee of the

Whole if so required, by a majority vote of the Members of the Committee present, provided the closed meeting complies with Section 239 of *the Act*.

13.4 Committee of the Whole – Chair – Deputy Mayor.

The Deputy Mayor shall be the Chair of all Committee of the Whole meetings, including closed meetings.

13.5 Procedures – Modifications.

The rules governing the procedure of the Council and the conduct of its members shall be observed in Committee of the Whole meetings, with the necessary modifications.

13.6 Committee of the Whole – Motions Permitted.

No votes may be taken at a Committee of the Whole meeting, with the exception that written motions may be voted on as follows:

- (1) for giving instructions to officers, employees or agents of the Corporation or persons retained by or under contract with the City;
- (2) to refer items to the regular Council meeting for disposition; or
- (3) for procedural matters such as adjourning the meeting.

13.7 Committee of the Whole Agendas – Composition – Prepared by Clerk.

The Clerk or designate shall prepare the Committee of the Whole Agenda, subject to necessary modifications for Special and Emergency meetings consisting of the following:

- (1) Call to Order
- (2) Declarations of Pecuniary Interest and the General Nature Thereof
- (3) Adjournment to Closed Session (if required)
- (4) Reconvene from Closed Session (if required)
- (5) Resumption of Open Committee of the Whole
- (6) Land Acknowledgement Statement
- (7) Report from Closed Session (if required)
- (8) Delegations
- (9) Presentations
- (10) Public Notices – Clerk
- (11) Committee/Board Reports - Council
- (12) Staff Reports
- (13) Notices of Motion
- (14) Announcements:
 - (a) Mayor
 - (b) Councillors
- (15) Adjournment to Closed Session (if required)
- (16) Reconvene from Closed Session (if required)
- (17) Report from Closed Session(s) (if required)
- (18) Adjournment

13.8 Closed Meetings (Sessions) – Committee of the Whole.

Members shall adjourn from the closed meeting and reconvene to the open meeting and a report from the closed meeting will be made at the appropriate time during the open meeting.

13.9 Deadline for Material to be Included on the Agenda.

The deadline for receipt of material by the Clerk from the CAO to be included on the Agenda for Regular Committee of the Whole meetings shall be 12:00 p.m. on the Wednesday, prior to the meeting.

13.10 Order of Business – As Specified – Exception.

The business of each meeting shall be taken up in the order in which it stands on the agenda unless otherwise decided by a majority vote of the members present and the motion shall not be amendable or debatable.

14. Petitions – Communications.

14.1 Presentation – Legibly Written – Submission on Agenda.

Every petition to be presented to Council shall be legibly written or printed and shall be submitted on the prescribed form and in the prescribed format attached as Schedule “C” to this by-law. Petitions shall not contain any obscene or improper matter or language and shall be filed with the Clerk **by 12:00 p.m. on the Monday prior to the Council meeting.** Petitions shall be included on the agenda by the Clerk.

14.2 Material – Distribute to Council – Prohibited – Unless Authorized.

No person, except a member of Council or an authorized City employee shall, before a meeting of Council or Committee of the Whole, place on the desks of members or otherwise distribute any material whatsoever unless such person is acting with the approval of the Clerk.

15. Reports of Managers and Supervisors.

15.1 Staff Report – Format.

All Staff Reports shall be completed by staff in the prescribed format and shall be identified on the Council or Committee of the Whole Agenda or Special or Public meeting under Staff Reports.

15.2 Staff Report – Approvals.

All Staff Reports shall be completed by municipal staff and shall be forwarded to and approved by their respective Manager before being forwarded to the CAO or designate for final approval prior to their inclusion on an agenda.

15.3 Staff Report – Presented to Council/Committee of the Whole, Special or Public Meeting.

The author of the Staff Report or a designate shall present the Staff Report at the appropriate Council or Committee of the Whole, Special or Public meeting where the item is identified on the agenda. The intent is for Staff Reports to be presented at Committee of the Whole meetings for action at Council meetings.

15.4 Staff Report – Deadline Submitted to CAO and Clerk.

Staff Reports shall be submitted to the CAO **no later than 12:00 p.m. on the second Thursday prior to the meeting date for his/her review and approval.**

The CAO shall forward approved Staff Reports to the Clerk and Deputy Clerk no later than 12:00 p.m. on the Wednesday immediately prior to the meeting date for inclusion on the agenda.

15.5 Staff Report – Exception.

Should an urgent matter arise where a Staff Report needs to be presented to Council or Committee of the Whole and the submission deadline has passed, the following process shall apply:

- (1) approval of the CAO is required before the report can be placed before Council or Committee of the Whole; and
- (2) upon approval of the CAO, the approved report shall be forwarded to the Clerk and Deputy Clerk to be included on the agenda.

16. Procedures – Public Hearings of Council.

16.1 Agenda.

The Clerk, in accordance with the applicable department, shall prepare the necessary agenda for the public meeting, which could include, but is not limited to a hearing for an Official Plan or Zoning Amendment, requirements under the Notice By-law, or for Municipal Licensing Appeals.

16.2 Minutes.

The Clerk shall record the date, time, place, reason for meeting, and persons in attendance, together with the following:

- (1) Chair to confirm reason for the convening of the public meeting;
- (2) Chair to confirm public notice of the meeting;
- (3) Chair to request anyone wishing to receive notice of the adoption of the by-law leave their name and address with the Clerk;
- (4) Chair to outline the procedures for the meeting;
- (5) Chair to call on the Clerk for an explanation of the proposed amendment (if necessary);
- (6) Chair to call on the Clerk to identify written correspondence received;
- (7) Chair to call for comments from staff;
- (8) Chair to call for comments from the public or those opposed or in favour;
- (9) Chair to call for comments from Council; and
- (10) Chair to declare the public meeting adjourned.

17. Enactment of By-laws.

17.1 By-laws – Introduced.

By-laws shall be introduced in the section on the agenda of Council meetings designed for the readings of by-laws.

17.2 Readings – Three (3) – Required Before Enactment.

Every by-law shall receive first, second and third reading by Council before being enacted, unless provided otherwise by law.

17.3 Introduction – Same Motion – Consent Agenda - First, Second and Third Reading.

All of the by-laws may be introduced in the same motion, duly moved and seconded, specifying the number and title of each by-law, giving them a first, second and third reading with no debate. Debate on amendments to the by-law may take place after the reading of the motion for third reading.

17.4 By-law – Introduced – Final Form.

Every by-law introduced at a Council meeting shall be in its final form and contain no blanks, except such as may be required to conform to accepted procedure or to comply with the provisions of any Act.

17.5 Draft By-law.

A draft by-law may be presented on a Committee of the Whole or Council agenda under

Staff Reports for discussion and amendments, if required, prior to its passing at a Council meeting.

17.6 By-law Enacted.

Every by-law enacted by the Council shall be numbered and signed by the Mayor and Clerk, sealed with the seal of the Corporation and shall show the dates of the three (3) readings by the Council. The Clerk shall ensure that every by-law is properly stored for safekeeping.

18. Committee Structure.

18.1 Requirements and Policies.

Where separate Rules of Procedure do not exist for a committee, the requirements of this by-law, as applicable and as prescribed and in accordance with City policies as identified in the City's Corporate Policy Manual, shall apply.

18.2 Electronic Participation at Committee Meetings.

See Schedule "E" – Electronic Participation at Committee Meetings.

19. Declarations of Pecuniary Interest.

19.1 Disclosures of Pecuniary Interest.

- A. The Clerk shall provide each member of Council with a copy of *the Act* prior to being sworn into Office.
- B. A member who knows that he or she will be declaring a pecuniary interest at an upcoming meeting shall advise the Clerk before the meeting by completing the prescribed form as set out in Schedule "D" to this by-law and submitting it to the Clerk. A copy of each statement shall be filed in a registry that shall be available for public inspection beginning not later than March 1, 2019. Members using the electronic meeting management system which allows for electronic declarations of pecuniary interest shall utilize that system.

20. Confirmatory By-laws.

20.1 Confirmatory By-law.

The proceedings at every regular open and special meeting of Council, shall be confirmed by by-law at the meeting so that every decision of the Council and every resolution adopted at the meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

Schedule "A" – Notice of Motion Form



In accordance with By-law 2021-101 Subsection 10.1,

Member of Council _____ (please print)

Hereby files a Notice of Motion to be included on the Agenda for the Regular meeting of Council, which is scheduled to be held on:

_____, 20_____, under the following Agenda heading:

Subject:

and,

which Notice of Motion reads as follows:

COUNCIL MEMBER: _____

(Signature)

<p>CLERK'S USE ONLY:</p> <p>Date Received, _____, 20____</p> <p>Time Received, _____</p> <p>Notice of Motion Given, _____, 20____</p>
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Schedule "B" - Request for Delegation Form

Attention: City Clerk

The Corporation of The City of Dryden
30 Van Horne Avenue
Dryden, ON P8N 2A7

Email: aeuler@dryden.ca
Phone: (807) 223-1432
Fax: (807) 223-3999

Name of Individual(s)			
Position / Title			
Name of Organization			
Contact No.			
No.	-	-	ext. Fax

Your title or interest in the group?			
Will other representatives be attending?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Have you appeared before Council in the past regarding this issue?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Special Needs?			
Written or Oral Presentation or Both?	<input type="checkbox"/> Oral	<input type="checkbox"/> Written	
<i>Please provide the Clerk's Office with a copy of your written presentation by the Wednesday prior to the Council or Committee of the Whole Meeting.</i>			

FOR OFFICE USE ONLY			
Meeting:			
C.O.W.	<input type="checkbox"/>		
Council:	<input type="checkbox"/>		
Meeting Date:			
	Year	Month	Day

City of Dryden - Request for Delegation Form:

Reason(s) for delegation request (subject matter to be discussed)

I am attaching a formal written presentation to accompany my delegation.

☐ Yes

☐ No

I will require the following audio-visual equipment/software for my presentation:

☐ Overhead Projector

☐ Screen

☐ Power Point

☐ Internet

☐ LCD Projector

☐ Other (please specify) _____

Note: Delegates are to provide 13 copies of all background material/presentations to the Clerk’s Office by the **Wednesday** prior to the Council or Committee of the Whole Meeting. Thank you.

Notice with Respect to the Collection of Personal Information
(Municipal Freedom of Information and Protection of Privacy Act)

Personal information contained on this form is collected for the purpose of contacting individuals and/or organizations requesting an opportunity to appear as a delegation before Council or Committee of the Whole. The Procedural By-law is a requirement of Section 238(2) of the Municipal Act, 2001. Questions about collection of personal information can be directed to the City Clerk, 30 Van Horne Avenue, Dryden, ON P8N 2A7.

Schedule "C" - Petition



We, the

Identify, in general terms, who the petitioners are, for example: Residents of a Street,
Citizens of the City of Dryden.

Briefly state the matter or argument in support of your petition.
This is to be included on each signature page.

State the specific request for action you wish Council to undertake.
This is to be included on each signature page.

**NAME, ADDRESS AND TELEPHONE NUMBER
OF THE SPOKESPERSON OR PRINCIPAL PETITIONER:**

Here follows the Signatures

Signatures <i>(only original signatures are permitted – if signing on behalf of a business or organization you should indicate if you are the owner, president, secretary, treasurer, etc.)</i>		Addresses <i>(your residential address in the City of Dryden)</i>
1.		
2.		
3.		

Once submitted to Council, this petition becomes a public document and is available for viewing. The information provided on a petition is not considered to be confidential and may be seen by anyone requesting to see copies of it. This information will not be used by the City for any purpose other than to ensure it meets Council’s requirements for a valid petition and to ensure a contact for the spokesperson or principal petitioner.

PETITION

Briefly state the matter or argument in support of your petition.
This is to be included on each signature page.

State the specific request for action you wish Council to undertake.
This is to be included on each signature page.

Signatures <i>(only original signatures are permitted – if signing on behalf of a business or organization you should indicate if you are the owner, president, secretary, treasurer, etc.)</i>		Addresses <i>(your residential address in the City of Dryden)</i>
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		



Schedule "D" - Declaration of Pecuniary Interest Form

In accordance with By-law 2021-101 Subsection 19.1 B. - Declarations of Pecuniary Interest,

Member of Council: _____ (please print)

Meeting:

Council: Date: _____ open ☐ closed ☐

Committee of the Whole: Date: _____ open ☐ closed ☐

I declare a Pecuniary Interest on Agenda Item #: _____

of the agenda for the above noted meeting for the following reason (state general nature):

Member of Council: _____ (signature)

Date: _____

<p><u>CLERK'S USE ONLY:</u></p> <p>Date Received: _____, 20_____</p> <p>Time Received: _____</p>
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COUNCIL PROCEDURAL BY-LAW

City of Dryden

Schedule E - Electronic Participation at Committee Meetings

1. Members participating electronically shall dress (if video conference) and act as though participating in person. They are also responsible for ensuring there is no background noise at their location that would interfere with the meeting.
2. Committee members may attend an open committee meeting, regular or special, but not a closed meeting, electronically via telephone or video conference.
3. Committees that are not eligible to have members attend electronically, except in the case of a municipally declared Emergency, are the Committee of Adjustment/Property Standards Committee, Compliance Audit Committee and Emergency Management Program Committee.
4. Committee members attending electronically do not count for quorum.
5. The Chair of the meeting cannot participate electronically and must be present in person. The Chair of the Committee may attend electronically, however may not chair the meeting. In this case, the Deputy Chair, if the Committee has appointed one, shall assume the responsibilities and have the powers of the Chair under this by-law. Should there be no Deputy Chair or should the Chair and Deputy Chair both attend electronically, the Committee shall, from amongst the members present in person, appoint a presiding officer who, shall assume the responsibilities and have the powers of the Chair under this by-law.
6. Any number of Committee members may attend any meeting electronically so long as quorum is maintained in person. As such, the privilege to attend electronically shall be based on order of request and members wishing to participate in a meeting electronically shall advise the Chair no less than 48 hours prior to the scheduled meeting.
7. For special meetings called, the notice must be submitted once a special meeting is confirmed. If a Committee member is away when a special Committee meeting is called, notice of the meeting will be sent to their email address provided to the Municipality and they may submit a request for electronic participation electronically.
8. Committee members attending electronically shall have all the rights and powers as members in attendance in person, including moving/seconding a motion, participating in debate, voting privileges. Members participating electronically shall verbally announce their vote.
9. Any costs associated with participating electronically shall be borne by the Committee member.
10. Committee members must connect electronically with the Municipality no later than 15 minutes prior to the commencement of the Committee meeting.
11. Committee members participating electronically may leave a meeting early, however, it is expected that members will participate for a sufficient length of time to warrant the additional effort required by the Municipality to facilitate electronic participation.
12. Committee members must announce their departure prior to leaving the meeting. If electronic connection is lost during a meeting, no effort will be made to

reconnect and the member participating electronically shall be considered to have left the meeting at the point of disconnection.

13. The Chair shall be cognizant of all members whether participating in person or electronically and may establish provisions as to the order of Committee members speaking to facilitate flow and pace of meeting.
14. Information related to additions to the agenda or materials that were not included in the agenda package will be forwarded by email to Committee members participating in the meeting electronically, provided time allows. It is the responsibility of Committee members to monitor their email for this type of occurrence.
15. Committee members participating electronically may not be able to see all other Committee members, presentations by delegations, etc. and the Municipality is not responsible for trying to accommodate this.
16. Committee members are responsible for providing their own method of transmission to the Municipality. The Municipality's conference phone system will be available for those participating via telephone. For video conferencing, the Municipality shall provide the means to receive the transmission from members participating electronically. The choice of software options is not restricted for Committee members however, the chosen option must be compatible with the Municipality's systems and arranged and tested in advance of a meeting date.



COUNCIL PROCEDURAL BY-LAW
City of Dryden
Schedule F - Electronic Participation at Council
and Committee of the Whole Meetings

Members may participate in meetings by Electronic Means subject to the following:

1. All meeting facilities must enable the meeting participants and the public to hear or watch and hear, each other. Members may participate electronically in Open and Closed Council and Committee of the Whole Meetings that are held in City Hall Council Chambers including Special and Public Meetings.
2. Electronic participation may be by tele-conference and/or video-conference.
3. The Chair is required to be present in person. If the Chair is participating electronically an alternate Chair will be determined by those present. **See Bullet 18. For Declared Emergency Exception.**
4. Members participating electronically count in establishing quorum.
5. Members participating electronically shall be marked as present.
6. Members participating electronically shall be allowed to vote, and their vote will be required to be verbally announced including by those attending by video conference.
7. There is no limit on the number of meetings that members can participate in electronically.
8. Members wishing to participate in a meeting electronically shall provide a written (email) notice to the Clerk or designate not less than one (1) week prior to the scheduled meeting so that technical aspects can be set up. For Special Meetings called, public notice must be given no less than 48 hours prior to the meeting. If a member is away when a Special Meeting is called, notice of the meeting will be sent to their dryden.ca email address and they may submit a written notice of electronic participation. **See Bullet 18. For Declared Emergency Exception.**
9. Information related to additions to the agenda or materials that are not included in the agenda package may be forwarded by email to members participating in the meeting electronically, provided time allows. It is the member's responsibility to monitor their dryden.ca email for this type of occurrence.
10. Members participating electronically may not be able to see all other members, presentations by delegations, etc. and the Municipality is not responsible for trying to accommodate this.
11. Any costs associated with participating electronically, such as long distance and/or data charges, shall be borne by the member.
12. Members must connect electronically with the Municipality no later than 10 minutes prior to the commencement of the meeting.
13. Members participating electronically may leave a meeting early and shall verbally announce their departure prior to leaving.

14. The Chair shall be cognizant of all members whether participating in person or electronically and may establish provisions as to the order of members speaking to facilitate flow and pace of meeting.
15. If an electronic connection is lost during any meeting, no effort will be made to reconnect by either the member or the City and the member participating electronically shall be considered to have left the meeting at the point of disconnection. If quorum is lost due to the electronic connection being lost, the meeting will be halted and rescheduled. **See Bullet 18. For Declared Emergency Exception.**
16. Members are responsible for providing their own method of transmission to the Municipality. The Municipality's conference phone system will be available for those attending via telephone. For video conferencing, the Municipality shall provide the means to receive the transmission from members participating electronically.
17. Members participating electronically shall dress (if video conference) and act as though participating in person. They are also responsible for ensuring there is no background noise at their location that would interfere with the meeting. Audio should be muted at all times except for when addressing meeting attendees.
18. The declaration of an emergency by the Province or Head of Council under the Emergency Management and Civil Protection Act will override bullets 3, 8 and 15 above. In the case of meetings held during a declared emergency, the meeting location will be considered a virtual location allowing the public to attend or view the meeting remotely.
19. In all cases, Open Meetings will be available to the public in an electronic form for viewing, whether broadcast live or recorded. Members of the public wanting to participate in meetings will be encouraged to do so electronically in cases where physical attendance is not possible, and this will be arranged through the Clerk's Office.
20. Council and Committee of the Whole business will not be conducted if technical issues prevent the public from viewing and/or hearing the meeting. In the event of such technical issues, the meeting will be adjourned and the agenda items for the adjourned meeting will be placed on the agenda for the next appropriate Council or Committee of the Whole meeting.

- 21. THAT By-law 2021-101 be rescinded.
- 22. THAT this By-law shall come into force and take effect on the final passage hereof.

ENACTED AND PASSED THIS 28th DAY OF MARCH 2022 as witnessed by the Corporate Seal of The Corporation of The City of Dryden and the hands of its proper Officers duly authorized in that behalf.

THE CORPORATION OF THE CITY OF DRYDEN

Mayor

Clerk

READ A FIRST AND SECOND TIME THIS 28th DAY OF MARCH 2022.
READ A THIRD TIME AND PASSED AS READ THIS 28th DAY OF MARCH 2022.